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09/960,229	09/20/2001	Kuansan Wang	M61.12-0391	5871

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EXAMINER
VO, HUYEN X

ART UNIT	PAPER NUMBER
2626	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *10/163* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10/16/2006*.

2a)☒ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,7-13,19 and 20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3, 7-13, and 19-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 September 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *10/16/06 & 6/5/06*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments have been considered but are moot in view of the new

ground(s) of rejection in view of Pikering (US 6944592) necessitated by addition of

claims 19-20.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-3, 7, and 11-13 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Dragosh et al. (US 6366886) in view of Ladd et al. (US 6269336),

and further in view of Pickering (US 6944592).

4.   Regarding claim 1, Dragosh et al. disclose a computer readable medium

including instructions readable by a computer which, when implemented, cause the

computer to handle information by performing steps comprising: receiving data over a

wide area network indicative of input from a client device and an indication of a

grammar (*col. 5, lines 29-60*) from the client device to be used with the data indicative of

the input to perform recognition (*col. 4, line 30 to col. 5, line 67*); and sending data

indicative of recognition results for the data indicative of the input to a remote location on the wide area network (*col. 6, lines 54-67*).

Dragosh et al. fail to specifically disclose the steps of receiving from the remote location data indicative of a prompt for the user to be used when the recognition results are indicative of no recognition of the input from the client; converting the data indicative of the prompt to speech data when the recognition results are indicative of no recognition of the input from the client; and sending the speech data to the client device over the wide area network. However, Ladd et al. teach the steps of receiving data indicative of a prompt for the user to be used when the recognition results are indicative of no recognition of the input from the client (*col. 14, lines 43-67 together with col. 17, lines 61-67*); converting the data indicative of the prompt to speech data when the recognition results are indicative of no recognition of the input from the client (*col. 14, lines 43-67 together with col. 17, lines 61-67*); and sending the speech data to the client device over the wide area network (*col. 14, lines 43-67 together with col. 17, lines 61-67*).

Since Dragosh et al. and Ladd et al. are analogous art because they are from the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Dragosh et al. by incorporating the teaching of Ladd et al. in order to notify users that their input speech is not recognized by the system and request the users to speak again. This reduces recognition errors.

The modified Dragosh et al. still fail to specifically disclose that the prompts are received from a remote location. However, Pickering teaches that the prompts are

received from a remote location (*figure 1, prompt database is located at server 22, while the speech recognizer is located at server 16 on LAN network*).

Since the modified Dragosh et al. and Pickering are analogous art because they are from the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Dragosh et al. by incorporating the teaching of Pickering in order to distribute workload to other system on the network. This provides convenience for maintaining and updating system.

5.   Regarding claim 11, Dragosh et al. a method for speech recognition in a client/server network, the method comprising: receiving data over a wide area network indicative of input speech together with an indication of a grammar (*col. 5, lines 29-60*) to be used with the data indicative of input to perform recognition (*col. 4, line 30 to col. 5, line 67*); processing the data using the grammar with a recognizer to obtain recognition results (*col. 6, lines 54-67*); and sending the recognition results for the data indicative of the input to a remote location on the network (*col. 6, lines 54-67*).

Dragosh et al. fail to specifically disclose the steps of receiving from the remote location data indicative of a prompt for the user to be used when the recognition results are indicative of no recognition of the input from the client; converting the data indicative of the prompt to speech data when the recognition results are indicative of no recognition of the input from the client; and sending the speech data to the client device over the wide area network. However, Ladd et al. teach the steps of receiving data indicative of a prompt for the user to be used when the recognition results are indicative

of no recognition of the input from the client (*col. 14, lines 43-67 together with col. 17, lines 61-67*); converting the data indicative of the prompt to speech data when the recognition results are indicative of no recognition of the input from the client (*col. 14, lines 43-67 together with col. 17, lines 61-67*); and sending the speech data to the client device over the wide area network (*col. 14, lines 43-67 together with col. 17, lines 61-67*).

Since Dragosh et al. and Ladd et al. are analogous art because they are from the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Dragosh et al. by incorporating the teaching of Ladd et al. in order to notify users that their input speech is not recognized by the system and request the users to speak again. This reduces recognition errors.

The modified Dragosh et al. still fail to specifically disclose that the prompts are received from a remote location. However, Pickering teaches that the prompts are received from a remote location (*figure 1, prompt database is located at server 22, while the speech recognizer is located at server 16 on LAN network*).

Since the modified Dragosh et al. and Pickering are analogous art because they are from the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Dragosh et al. by incorporating the teaching of Pickering in order to distribute workload to other system on the network. This provides convenience for maintaining and updating system.

6.   Regarding claims 2, 7, and 12, Dragosh et al. further disclose that the indication

provides a reference to a location of the grammar (*col. 5, lines 29-60*), and wherein the

recognizer comprises a speech recognizer and the grammar relates to speech

recognition (*col. 5, lines 29-60*).

7.   Regarding claims 3 and 13, Dragosh et al. fail to specifically disclose that the

indication includes a reference to a language for recognition. However, Ladd et al.

teach that the indication includes a reference to a language for recognition (*col. 6, lines

25-35*).

        Since Dragosh et al. and Ladd et al. are analogous art because they are from the

same field of endeavor, it would have been obvious to one of ordinary skill in the art at

the time of invention to modify Dragosh et al. by incorporating the teaching of Ladd et al.

in order to enable users speaking a foreign language to use the system.

8.   Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Dragosh et al. (US 6366886) in view of Ladd et al. (US 6269336), in view of Pickering

(US 6944592), and further in view of Applebaum et al. (US 6463413).

9.   Regarding claims 8-10, the modified Dragosh et al. fail to specifically disclose

that a recognizer comprises a handwriting recognizer and the grammar relates to

handwriting recognition, a gesture recognizer and the grammar relates to gesture

recognition, and a visual recognizer and the grammar relates to vision recognition.

However, Applebaum et al. teach/suggest that handwriting, gesture, and visual

recognitions (*referring to figure 1*).

Since the modified Dragosh et al. and Applebaum et al. are analogous art

because they are from the same field of endeavor, it would have been obvious to one of

ordinary skill in the art at the time of invention to further modify Dragosh et al. by

incorporating the teaching of Applebaum in order to enable the system to recognize

different types of input. The advantage is to provide different types of recognition to suit

user's usage preference.

10.   . Regarding claims 19-20, Dragosh et al. further disclose the method and

computer-readable medium of claims 11 and 1, respectively, wherein the remote

location on the network is the client device (*system of Dragosh is client-server system;*

both client and server are connected via a network).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen X. Vo whose telephone number is 571-272-7631. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HXV   1/16/2007

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RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER